

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

MICHAEL LAMONT KELLEY

PLAINTIFF

vs.

CIVIL ACTION No.: 3:21-CV-685-HTW-LGI

WARDEN SHANNON D. WITHERS

DEFENDANT

ORDER ADOPTING REPORT AND RECOMMENDATION

BEFORE THIS COURT is the Report and Recommendation of United States Magistrate Judge LaKeysha Greer Isaac [**Docket no. 15**]. In her Report and Recommendation, filed on October 5, 2023, Magistrate Judge Isaac recommended that Petitioner Michael Lamont Kelley's petition be dismissed for lack of exhaustion. Magistrate Judge Isaac directed the parties to file any objections to her recommendation within fourteen (14) days. To date, no objection has been filed.

Based upon the findings and recommendation contained in the Report and Recommendation [**Docket no. 15**], this court finds it well-taken. Magistrate Judge Isaac carefully considered the submissions of the parties, the record, and relevant law, and crafted a well-versed Report and Recommendation. Therefore, this court hereby **ADOPTS** the Report and Recommendation of the Magistrate Judge as the order of this court.

IT IS THEREFORE ORDERED THAT the Petitioner Michael Lamont Kelley's Petition for Writ of Habeas Corpus [**Docket no. 1**] hereby is **DISMISSED** without prejudice for failure to exhaust administrative remedies.

SO ORDERED this the 21st day of November, 2023.

/s/HENRY T. WINGATE
UNITED STATES DISTRICT COURT JUDGE